

567—81.9 (455B) Examinations.

81.9(1) Examination application. All persons wishing to take the examination required to become a certified operator of a wastewater or water treatment plant or a water distribution system shall complete the Operator Certification Examination Application, Form CFN-542-3118/CPG-63997. A listing of dates and locations of examinations is available from the department upon request. The application form requires the applicant to indicate educational background, training and past experience in water or wastewater operation. The completed application and examination fee shall be sent to Iowa Department of Natural Resources, Water Supply Section, 502 East Ninth Street, Des Moines, Iowa 50319-0034. The completed application and examination fee must be received by the department at least 30 days prior to the date of examination.

81.9(2) Application evaluation. The director shall designate department personnel to evaluate all applications for examination, certification, and renewal of certification and upgrading of certification. After evaluation of the application, the department will issue the applicant either a letter of examination eligibility or a letter of examination noneligibility that includes a description of the education or experience requirements that have not been met. The director will review applications when it is indicated that the applicant has falsified information or when questions arise concerning an applicant's qualifications of eligibility for examination or certification.

81.9(3) Application expiration. A properly completed application for examination shall be valid for one year from the date the application is approved by the department. An applicant may request only one class and grade of examination with each application. A new application shall be required with each different class or grade of examination desired by the applicant.

81.9(4) Refund of examination fee. An applicant who does not qualify for examination at the time of application will have the examination fee refunded if the applicant cannot qualify for examination within one year. If the applicant will qualify for a scheduled examination within one year, the applicant will be notified when the examination may be taken and the fee will not be refunded.

81.9(5) Reexamination. Upon failure of the first examination, the applicant may be reexamined at the next scheduled examination. Upon failure of the second examination, the applicant shall be required to wait a period of 180 days between each subsequent examination.

81.9(6) Reexamination fee. Upon each reexamination when a valid application is on file, the applicant shall submit the examination fee to the department at least ten days prior to the date of examination.

81.9(7) Application invalidation. Failure to successfully complete the examination within one year from the date of approval of the application shall invalidate the application.

81.9(8) Retention of completed examinations. Rescinded IAB 1/7/04, effective 2/11/04.

81.9(9) Oral examination. Upon written request by an applicant for Grade A, I, IL, II or IIL certification, the director will consider the presentation of an oral examination on an individual basis when the plant or distribution system which employs the applicant is not in compliance with Iowa Code section 455B.223; the applicant has failed the written examination at least twice; the applicant has shown difficulty in reading or understanding written questions but may be able to respond to oral questioning; the applicant is capable of communicating in writing with regard to departmental requirements and inquiries; and the director has received a written recommendation for an oral examination from a department staff member attesting to the operational and performance capabilities of the applicant. The director shall designate department personnel to administer the examination. The examination shall contain practical questions pertaining to the operation of the plant or distribution system in which the applicant is employed. In addition, the examination shall include specific on-site review by department personnel of the operator's capabilities in the operation of the specific plant or distribution system. Certificates issued to operators through oral examinations shall be restricted to the plant or distribution system where the operator is employed at the time of certification.

Applicants who obtain certification under this subrule and subsequently let their certification lapse will be required to reapply for certification, meet the experience and education requirements pursuant to 567—81.7(455B), and be reexamined. The requirement that an applicant shall have failed two written

examinations before being allowed to take an oral examination will be waived for an operator that has previously been certified under this subrule.

81.9(10) *Reasonable accommodation.* Upon request for certification by an applicant, the director will consider on an individual basis reasonable accommodation to allow administration of the examination without discrimination on the basis of disability. The applicant shall request the accommodation 30 days prior to the date of the examination. The applicant must provide documentation of eligibility for the accommodation. Documentation shall be submitted with the completed examination application. Accommodations based on documentation may include site accessibility, oral examination, extended time, separate testing area, or other concerns.

[ARC 1911C, IAB 3/18/15, effective 4/22/15]